

**REMARKS**

**Status of Claims**

Claims 1-7 are pending, of which claims 1-3 have been withdrawn due to a restriction requirement.

Claim 4 has been amended to correct informalities in the claim language and to more clearly define the claimed subject matter. Claim 7 has been added. Support for the amendment and the new claim is found, for example, at page 11, lines 1-11 and page 7, lines 2-9 of the present application. No new matter has been entered.

**Objection to the Specification**

The Examiner objected to the abstract. Applicants respectfully submit that the amendment made to the abstract overcomes this objection.

**Rejection under 35 U.S.C. §103(a)**

Claims 4-6 were rejected under 35 U.S.C. §103(a) as being unpatentable over Maeda et al. (USP 6,189,771) in view of Mei (USP 6,680,128). Applicants respectfully traverse this rejection for the following reasons.

Applicants respectfully submit that amended claim 4 recites, among other features, metal powder having at least flake-like shaped metal powder. Both Maeda and Mei disclose metal “particles” but fail to disclose the flake-like shaped metal powder. In the present application, by using flake-like shaped metal powder, it becomes easier to form a bridge of the metal powder at a relatively low current because of the lengthwise side of the flake-like shape faced in the

direction of bridging the gap (see, page 11, lines 1-4 of the specification). The cited references fail to disclose such an advantage of using the flake-like shaped metal powder.

In order to establish prima facie obviousness under 35 U.S.C. § 103(a), all the claim limitations must be taught or suggested. At a minimum, the cited prior art does not disclose or suggest the above discussed limitation of claim 4 regarding the flake-like shape. Thus, the combination of Maeda and Mei does not render claim 4 and any claim dependent thereon obvious. Applicants respectfully request that the Examiner withdraw the rejection of claims 4-6.

#### **New Claim**

Since new claim 7 depend upon claim 4, this claim is also allowable for at least the same reasons as claim 4. Further, Applicants note that Maeda fails to disclose the amount of the metal particles and Mei discloses the amount of the metal particles being 50-60% in the solder paste (see, col. 4, lines 57-61 and col. 8, lines 45-47 of Mei). Accordingly, claim 7 is patentable over the cited references for this reason in addition to the above mentioned reasons.


**CONCLUSION**

Having fully responded to all matters raised in the Office Action, Applicants submit that all claims are in condition for allowance, an indication for which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

*for*  *Limited*  
*Recognition No L0123*  
Michael E. Fogarty  
Registration No. 36,139

600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096  
Phone: 202.756.8000 MEF:TS:  
Facsimile: 202.756.8087  
**Date: February 13, 2009**

**Please recognize our Customer No. 53080  
as our correspondence address.**